

## REMARKS

### SUMMARY

In the Office Action of June 16, 2003, the Examiner issued a FINAL rejection of all the claims based on 35 U.S.C. 103(a).

### TELEPHONE INTERVIEW

Applicant filed a request to extend for one (1) month the time to reply to the Final Office Action after Applicant's attorney, John J. Connors, discussed the rejection with the Examiner, Mr. Arnold. During this discussion Mr. Connors emphasized that clearly Claims 18 et seq were allowable in view of the absence of the prior art to in any way suggest Applicant's invention as defined by these claims. On or about October 13, 2004, another discussion of the rejection was discussed between Messrs. Arnold and Connors, and Mr. Connors proposed to cancel original Claims 1 through 17 in order to narrow the issues on appeal if the Examiner maintains his position that Claims 18 et seq are unallowable.

### PRESERVATION OF RIGHTS TO INVENTION

Applicant does not abandon the invention defined by cancelled Claims 1 through 17 and reserves the right to file a continuation application to submit evidence or additional arguments why cancelled Claims 1 through 17 should be allowed, or submit other claims directed to the same subject matter as cancelled Claims 1 through 17 or to different subject matter disclosed but not claimed.

**CONDITIONAL NOTICE OF APPEAL & EXTRA FEE**

If the Examiner does not allow Claims 18 et seq, effective as of the filing date of this reply to the Final Office Action, Applicant hereby appeals and any additional fees for an appeal, if necessary, should be charged to Applicant's attorney deposit account as indicated below. Applicant's brief will then be due on December 13, 2004.

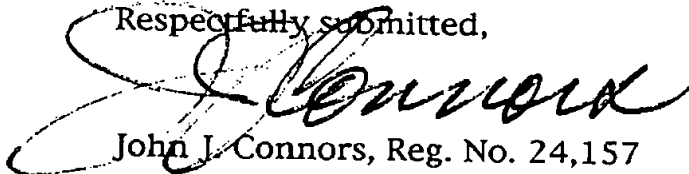
**EXTENSION OF TIME**

A one-month extension to reply to the Final Office Action has previously been filed.

**CUSTOMER NUMBER**

Please note Applicant's attorney Customer No. 021905, and confirm that this customer number has been entered in the U. S. Patent & Trademark Office records in connection with the above-identified application.

Respectfully submitted,



John J. Connors, Reg. No. 24,157

CONNORS & ASSOCIATES, INC.  
1600 Dove Street, Suite 220  
Newport Beach, CA 92660

PHONE 949-833-3622  
FAX 949-833-0885

**AUTHORIZATION TO CHARGE/CREDIT DEPOSIT ACCOUNT**

The commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 03-2830.

By   
